

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHERN DIVISION**

IN RE:  
Ricky W Taylor  
Heather L Taylor  
SS#: XXX-XX-8705 XXX-XX-0399  
DEBTORS

CASE NO. 11-83594-CRJ-13

CHAPTER 13

**TRUSTEE'S MOTION TO MODIFY CHAPTER 13 PLAN**

COMES NOW, Michael Ford, the Chapter 13 Trustee in the above styled case, and moves this Court to modify Debtors' plan confirmed December 27, 2011; and as grounds therefore, the Trustee would show unto the Court as follows:

1. The Debtors' Chapter 13 plan presently calls for payments of \$388.00 monthly to the Chapter 13 Trustee.
2. The Debtors are in material default with respect to the terms of the Chapter 13 Plan. The total delinquency is \$1,032.00 through 10/31/2015.
3. In order for the plan to complete as confirmed, the Trustee proposes to increase the Chapter 13 Plan payments to the amount of \$477.00 monthly beginning in December 2015 for the remaining 11 months of the plan to cure the default.
4. The Trustee shall monitor the Debtors' plan payments for a term of three months, beginning December 2015 through February 2016, time being of the essence. If the Debtors fail to make a plan payment to the Trustee in any of these months, this Chapter 13 case will be dismissed on the motion of the Trustee, without notice or hearing.

WHEREFORE, the Trustee moves for an order modifying the plan pursuant to 11 U.S.C. § 1329 and Rule 3015(g) to increase the Chapter 13 Plan payments to the amount of \$477.00 monthly, beginning December 01, 2015 for the remaining 11 months of the plan to cure the default. The Trustee shall monitor plan payments for a term of three months beginning 12/1/2015 through 2/28/2016 with time being of the essence. If the plan payments are not made to the Trustee in any of these months, this Chapter 13 case will be dismissed on the motion of the Trustee, without notice or hearing. Other provisions: All other provisions to remain the same.

RESPECTFULLY SUBMITTED, this the 20th day of November, 2015.

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE U. S. BANKRUPTCY COURT AND A COPY SERVED ON THE CHAPTER 13 STANDING TRUSTEE WITHIN TWENTY-ONE (21) DAYS FROM DATE OF SERVICE HEREOF. THIS MOTION WILL BE GRANTED UNLESS AN OBJECTION IS FILED WITHIN TWENTY-ONE (21) DAYS.

/s/ Michael Ford

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MICHAEL FORD, TRUSTEE

P.O. BOX 2388

DECATUR, AL 35602-2388

(256)350-0442

### **CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the above Motion upon the Attorney for the Debtors and the Debtors , by mailing a copy of the same with adequate postage thereon or by electronic means when available:

Ricky W Taylor  
Heather L Taylor  
510 Marlin Street  
Russellville, AL 35653

BOND BOTES SYKSTUS TANNER &  
MCNUTT  
102 S COURT STREET STE 314  
FLORENCE, AL 35630

This the 20th day of November, 2015.

/s/ Michael Ford

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Michael Ford, Trustee